

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

OAKLAND TACTICAL SUPPLY, LLC,
JASON RAINES, MATTHEW REMENAR,
SCOTT FRESH, RONALD PENROD, AND
EDWARD GEORGE DIMITROFF,

Plaintiffs,

V.

HOWELL TOWNSHIP,
a Michigan general law township,

Defendant.

Roger L. Myers (P49186)
MYERS & MYERS, PLLC
Attorneys for Plaintiffs
915 N. Michigan Avenue, Suite 200
Howell, Michigan 48843
(517) 540-1700
rmyers@myers2law.com

Martha A. Dean, (admitted 12/06/18)
LAW OFFICES OF MARTHA A.
DEAN, LLC
Attorneys for Plaintiffs
144 Reverknolls
Avon, CT 06001
mdean@mdeanlaw.com

PLAINTIFFS' MOTION FOR EXTENSION OF TIME TO FILE RESPONSE
BRIEF

NOW COME Plaintiffs, OAKLAND TACTICAL SUPPLY, LLC, JASON RAINES, MATTHEW REMENAR, RONALD PENROD, EDWARD GEORGE DIMITROFF and SCOTT FRESH (collectively “Plaintiffs”), by and through their counsel Myers & Myers, PLLC and Law Offices of Martha A. Dean, LLC, and move the court for their motion for extension of time to file Plaintiffs’ Post-Bruen Supplemental Opposition Brief pursuant to this Court’s order dated August 31, 2022 (ECF No. 96, PageID.2205), and state as follows:

1. On August 31, 2022, this Court ordered the Township to submit supplemental briefing on two questions: (1) “whether Oakland Tactical’s proposed course of conduct is covered by the plain text of the Second Amendment”; and (2) “whether historical evidence—to be produced by the Township in the first instance—demonstrates that the [Howell Township Zoning] Ordinance’s shooting regulations are consistent with the nation’s historical tradition of firearm regulation.”
2. The Township declined to brief the second question of historical evidence in their supplemental brief filed on September 30, 2022.
3. The Township, did however, file two exhibits documenting changes (Ex. A) and proposed changes (Ex. B) to the Township’s Zoning Ordinance that post-date the filing of the Plaintiffs’ complaint and raise facts outside the pleadings.

4. The Plaintiffs' responsive brief is due 14 days after the Township's brief on October 14, 2022.
5. Pursuant to Rule 12(d) of the Federal Rules of Civil Procedure, Plaintiffs seek a ten-day extension of time to afford a reasonable opportunity to present all the material that is pertinent to the Rule 12(c) motion now pending before the Court, which include disputed new facts.
6. Plaintiffs have communicated with counsel to the Defendant Township to ascertain the Defendant's position on this motion but we have not received confirmation of the Township's position at this time.

For the above-stated reasons, Plaintiffs respectfully request this Honorable Court GRANT their motion to extend the deadline permitting Plaintiffs an additional ten-days, until October 24, 2022, to file their responsive brief.

Dated: October 12, 2022

Respectfully submitted,

MYERS & MYERS, PLLC
Attorneys for Plaintiffs

By: /s/ Roger L. Myers
Roger L. Myers (P49186)
915 N. Michigan Avenue, Suite 200
Howell, MI 48843
(517) 540-1700
rmyers@myers2law.com

/s/ Martha A. Dean

Martha A. Dean, Esq. (Admitted 12/6/18)

Law Offices of Martha A. Dean, LLC

144 Reverknolls

Avon, CT 06001

Phone: 860-676-0033

Fax: 860-676-1112

mdean@mdeanlaw.com

CERTIFICATE OF SERVICE

I hereby certify that on October 12, 2022, I electronically filed the foregoing *Plaintiffs' Motion for Extension of Time to File Response Brief* with the Clerk of the Court using the ECF system.

By: /s/ Roger L. Myers

Roger L. Myers, Esq. (P49186)

Myers & Myers, PLLC

915 North Michigan Ave., Suite 200

Howell, MI 48843

Phone: 517-540-1700

Fax: 517-540-1701

rmyers@myers2law.com